IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 17357 of 2007(N)

PETITIONER:

A. THANKAMMA,
KAKKATTU RAMAVILASOM, PANACHIKAVU P.O.,
PERUNNAI EAST, CHANGANACHERRY.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:
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1. PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK, REPRESENTED BY ITS GENERAL MANAGER, PATHANAMTHITTA.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, TRIVANDRUM.

3. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, CO-OPERATION DEPARTMENT, TRIVANDRUM.

4. K.J. GEETHAKUMARI, SENIOR BRANCH MANAGER, PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK, PATHANAMTHITTA.

R1 BY ADV. SHRI P.C. SASIDHARAN

R2 & R3 BY GOVERNMENT PLEADE4R (SHRI P.N. SANTHOSH)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 17357 OF 2007 N

Dated this the 11th June, 2007

JUDGMENT

Petitioner challenges Exts.P5, P6 and P7 and seeks a declaration that she is senior to the fourth respondsent as Branch Manager. Case of the petitioner, in brief, is that she entered service in 1980 and was promoted as Branch Manager on 9.7.1991. Petitioner claims seniority over the fourth respondent. The respondent Bank promoted the fourth respondent vide Ext.P5, overlooking her seniority, it is stated. Petitioner approached the Registrar under Rule 176 of the Co-Operative Societies Rules. The second respondent Registrar rejected the same vide Ext.P6. Petitioner preferred an Appeal before the Government and Ext.P7 order was passed dismissing the Appeal. In Ext.P6, it is found that certain gold ornaments kept in the Bank were either short or in excess, and two annual increments with cumulative effect were withheld. It is stated that the matter is under challenge before the High Court. The

Bank apparently followed the prescribed procedure and imposed the punishment, it is noted by the appellate authority. It is also noted that the fourth respondent was given promotion to the cadre of Executive Officer/Senior Branch Manager. It is not in dispute that as per Ext.P4 Judgment, the question relating to disciplinary proceedings has also become final. In such circumstances, I find that there is no ground made out to take a different view from that of the Authorities. The Writ Petition fails and it is dismissed.

K. M. JOSEPH, JUDGE

kbk.